

KENTUCKY'S ENVIRONMENT



The Newsletter of the Environmental Quality Commission
Volume 18, No. 1

January/February 2002

30 YEARS
KENTUCKY EQC
1972-2002

is a seven-member citizen board that advises officials on environmental matters, provides a public forum for the discussion of issues and monitors environmental conditions. To receive the free EQC newsletter, call (502)564-2150 ext. 160, email EQC@mail.state.ky.us, or write to EQC at 14 Reilly Rd., Frankfort, KY 40601. You can also submit your comments at our Web site at www.kyeqc.net. Printed bimonthly on recycled paper with state funds.

Gov. Patton's 2002 Environmental Agenda

A clean environment will preserve and strengthen our quality of life while ensuring Kentucky can attract high paying jobs. This is the impetus behind Gov. Patton's 2002 environmental agenda. Gov. Patton is supporting several key pieces of legislation including:

HB 174 - Solid Waste Management - A one-half cent fee on certain containers and cups and a \$1 per ton tipping fee at landfills will fund dump cleanups, education and garbage collection programs.

HB 540 - Power Plant Siting - creates a siting board and regulatory controls for siting new power plants and transmission lines.

HB 556 and **SB 158** - Pine Mt. State Park - Creates a 120-mile linear park along the Pine Mountain ridge line.

HB 600 - Smart Growth - establishes a state planning committee and tax credits to preserve neighborhoods.

HB 598 - Cell Tower Siting - places jurisdiction under local planning commissions. For more information about these bills see the EQC Web site <http://www.kyeqc.net/legislation.htm>

EQC 1972-2002:

30 YEARS OF PROTECTING THE ENVIRONMENT

In 2002, EQC will celebrate 30 years of protecting Kentucky's environment. Throughout the year, EQC will host special events and projects in recognition of its 30th anniversary. Look for these projects soon on our Web site and newsletter.

Kentucky's Environment: Past, Present and Future

A Collection of Essays - EQC has invited several distinguished Kentuckians to provide their views on the environment - past and present, challenges confronting the state and opportunities to move Kentucky forward in protecting the environment.

Kentucky Environmental History Timeline - A compilation of events that have shaped Kentucky's environment, as well as important challenges we face in the 21st century.

MEETINGS/CONFERENCES

Feb. 27 - Tracy Farmer Center for the Environment Lecture Series - Sustainable Development. Alan Randall, speaker. Univ. of Ky. Ag. Science Center North. Contact: Ryan McEwan, ryanmcewan@gx.net or Chuck Rhoades, ccrhoa2@uky.edu.

March 5-6 - KFIA Annual Meeting. "Kentucky Wood Industry - Making an Impact in the Commonwealth." Hyatt Regency, Louisville. Contact: KFIA (502) 695-3979 or milinda@kfia.org.

March 6 - Tracy Farmer Center for the Environment Lecture Series - Stream Restoration. Greg Jennings, speaker. Auditorium - W.T. Young Library, 4 p.m. Contact: Ryan McEwan, ryanmcewan@gx.net or Chuck Rhoades, ccrhoa2@uky.edu.

March 17-21 - 45th Annual Ky. Water and Wastewater Operators Conference. Executive Inn Rivermont, Owensboro. Contact: Melissa Brothers, DOW, (502)564-3410.

March 21-22 - Business & Industry's Symposium on Environment, Health & Safety. Cincinnati Convention Center. Contact: Manufacturers' Education Council, (614) 229-7990.

March 28-29 - Conservation & Common Sense Development II, "A Workshop for Building Better Communities." Sheraton, Nashville, Tennessee. Contact: Cumberland River Compact (615) 382-4443.

April 3-5 - Geological Society of America Joint Southeastern/North-Central Sections Meeting. Hyatt Regency, Lexington, Kentucky. Contact: Ky. Geological Survey (859) 257-5500.

April 12-14 - Kentucky Waterways Alliance Annual Conference, "Urban Waters." University of Louisville - Shelby Campus. Contact: Kentucky Waterways Alliance (270) 524-1774.

PUBLIC NOTICES/HEARINGS - PERMITS

Ky. Division of Water - Water Discharge Permits

Contact Pam Horne, Div. of Water, (502) 564-3410.

• **Garrison Creek Watershed, Bullitsburg (Boone Co.)** - Proposal to categorize Garrison Creek in Boone Co. and its watershed as an exceptional water. **Public Hearing - Feb. 21, 7 p.m.,** Boone County Extension Office, 6028 Camp Ernst Rd., Burlington.

• **Creation and Family Discovery Museum, Bullitsburg (Boone Co.)** Proposed permit for a new sanitary discharge from a museum and park facility. **Public Hearing - Feb. 21, 7 p.m.,** (following Garrison Creek Public Hearing) Boone Co. Extension Office, 6028 Camp Ernst Rd., Burlington, (KY0104230).

EQC Assesses Spill Response Needs



The Environmental Quality Commission has issued a set of findings and recommendations to strengthen environmental emergency response programs. The recommendations are based on an EQC public meeting held last August to review environmental spills, a survey of local emergency responders, and discussions with state and federal emergency response officials.

EQC noted in the recommendations that "A number of major spills in Kentucky during the past few years have tested the state's ability to respond to emergency incidents and protect public safety and the environment. In addition, Kentucky and the nation now face new threats in the wake of the September 11 terrorist attack. In this light, the need to strengthen emergency response programs is more critical than ever."

EQC findings include:

• In 2000, there were 2,986 environmental incident reports received through the state's 24-hour Environmental Emergency Hotline. Of these, 182 reports were classified as "high."

• Several statutes and regulations contain provisions requiring emergency planning for various types of facilities. However, EQC found no emergency planning requirements for certain types of high risk facilities such as high hazard dams or coal impoundments.

• Several cities including Louisville, Lexington, Ashland, London, Bowling Green and Paducah have hazmat teams to respond to environmental emergencies. Most communities do not have teams due to manpower and funding shortages.

• There are some 40,000 local emergency responders in the state including fire, medical, law enforcement, public works and rescue personnel—22,351 of which are firefighters. Most firefighters in Kentucky (84 percent) are volunteers.

[continued back page - see spills](#)

• **Danville Municipal Pretreatment Program Modification, Danville (Boyle Co.)** - Modification to the pretreatment program for publicly owned treatment works; preliminary determination that this modification meets requirements (PT 2002-001).

• **Walker Boat Yard (Hartley Marine Corporation), Paducah (McCracken Co.)** - Permit modification of an existing discharge of treated bilge water and sanitary wastewater (KY0078751).

• **68 KPDES Water Discharge Permits.** (Public notice 2001-43, 2002-01 thru 04.) See Web site: <http://water.nr.state.ky.us/dow/public.htm>.

Ky. Division of Waste Mgt. - Underground Storage Tanks

Contact Ramendra Dutta, Div. of Waste, (502) 564-3410.

• **Greensburg Quick Stop, Greensburg (Green Co.)** (3599-044).

• **Kenny's Gas & Grocery, Campton (Wolfe Co.)** (1002-119).

• **Barren River Sport Center, Glasgow (Barren Co.)** (3297-005).

Ky. Division of Waste Management - Hazardous Waste Notices

Contact: Mary Ann Goins, Div. of Waste, (502)564-6716.

• **Atofina Chemicals Inc., Calvert City (Marshall Co.)** - Trial burn/comprehensive performance test for hazardous waste incinerator.

Ky. Division of Waste Management - Solid Waste Notices

Contact: Anita Young, Div. of Waste, (502) 564-6716.

• **Bavarian Trucking Company Inc., Walton (Boone Co.)**- Extend contained & C/DD landfill permit until 6/11/2007 (008-00004).

• **Southern Waste Services Landfill, Russellville (Logan Co.)**- Extend the expiration of a contained landfill permit until June 28, 2007 (#071-00006).

• **CC Metals and Alloys Inc., Calvert City (Marshall Co.)**- Extend residual waste landfill permit until 6/29/2007 (#079-000010).

• **Maysville/Mason County Landfill, Maysville (Mason Co.)**- Extend solid waste disposal facility permit until 6/30/2007 (#081-00006).

• **Campbell Branch Residual Landfill, Catlettsburg (Boyd Co.)**- Extend solid waste disposal facility permit until 6/30/2007 (010-00014).

• **Williamette Industries Inc., Hawesville (Hancock Co.)**- Extend residual waste landfill permit until 6/30/ 2007 (047-00007).

[Continued back page - see Public Notices](#)



**Environmental Quality Commission
Meeting Announcement**

Legislative Briefing

March 21 - 2 p.m. - Capitol Annex - Room 125

EQC will review environmental legislation of the 2002 Session. A full agenda for this meeting will be available soon at www.kyeqc.net

All EQC meetings are free and open to the public. Meeting facilities are accessible to people with disabilities. Auxiliary aids, interpreters and other services will be provided upon request by contacting EQC.

Public Notices Continued - from front page

Ky. Division for Air Quality - Public Notices

Contact: George Day, Div. for Air Quality, (502)573-3382.

- Conditional Major Source Construction/Operating Permit (Title V does not apply)** - Promotional Wood Products, Boston (Nelson Co.); USAARMC & Fort Knox, Fort Knox (Hardin Co.).
- Prevention of Significant Deterioration Construction/Operating Permit** - Thoroughbred Generating, Muhlenberg Co.
- Title V Operating Permit** - Brake Parts Inc., Stanford (Lincoln Co.), Green Tokai Co., Maysville (Mason Co.), Sachs Automotive of America, Florence (Boone Co.).
- Title V Construction/Operating Permit** - Thoroughbred Generating, Muhlenberg Co.
- Significant Permit Revision at a Conditional Major Source (Title V does not apply)** - Federal Mogul Corp., Glasgow (Barren Co.).
- Synthetic Minor Construction/Operating Permit at a Title V Source (PSD regs. do not apply)** - Philips Lighting Co., Danville (Boyle Co.).
- Significant Revision at a Title V Source** - Atofina Chemicals Inc., Calvert City (Marshall Co.).

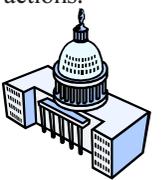
PROPOSED STATE REGULATIONS

- Endangered Plants** - The Nature Preserves Commission has filed a notice of intent for new regulations to establish a state list of endangered and threatened plant species -- 400 KAR 3:010; 3:020; 3:030; 3:040. Contact: Don Dott or Deborah White at (502) 573-2886.
- Air Quality** - The Division for Air Quality has requested federal approval of a SIP revision that addresses the NOx SIP Call budget demonstration and the implementing of the regulations 401 KAR 51:001, 51:150, 51:160, 51:190. Contact Lona Brewer, DAQ, (502) 573-3382.
- Air Quality** - The Division for Air Quality has filed a notice of intent for regulations related to NOx emissions -- 401 KAR 51:001, 51:150, 51:160, 51:190. **Public Hearing - Feb. 28**, DAQ, 803 Schenkel Ln., Frankfort. Contact: Millie Ellis, DAQ, (502) 573-3382.
- Division of Water** - The Division of Water is filed a notice of intent for the following KPDES regulations to maintain primacy for the program -- 401 KAR 5:002 ; 5:050; 5:055; 5:057; 5:060; 5:065; 5:070; 5:075; 5:080. Contact: Bruce Scott, (502) 564-3410.

EQC Offers Views on Blackside Dace and Merchant Power Plants



At its January public meeting EQC expressed concern about a mining proposal to move the endangered fish the Blackside Dace. EQC also offered recommendations concerning the siting of new power plants. To see these recommendations visit the EQC Web site at <http://www.kyeqc.net/forum.html>



Spills - continued from front page

- The U.S. EPA was the lead coordinator at the Martin County coal slurry spill. The magnitude and the number of agencies involved made the management of the spill difficult. There is no plan in place between Kentucky and the U.S. EPA for managing catastrophic releases or spills.
- The Ky. Hazardous Waste Management Fund is a principal source of funding for state emergency response and cleanup actions. The fund is financed through a fee on hazardous waste generated in Kentucky. The fee is set to sunset in April 2002.

EQC recommendations include:

The Ky. Natural Resources and Environmental Protection Cabinet

- Develop a formal process to critique environmental response actions.
- Initiate a campaign to build awareness of emergency reporting and planning requirements.
- Develop a coordinated state/federal contingency plan for catastrophic releases/spills.
- Evaluate existing spill prevention and contingency requirements to determine if they are adequate to prevent and contain spills.
- Identify high-risk facilities and conduct a review to assess safety and containment needs.
- Require emergency action plans for all high hazard/risk dams and impoundments.

The Ky. Emergency Response Commission and the Ky. Division of Emergency Management

- Seek additional funding to support environmental emergency drills.
- Better coordinate and standardize hazardous materials training materials and curriculum, pursuant to KRS 39:E010.
- Explore new opportunities to promote hazardous materials training for local responders and enhance training through continuing education.

State and local emergency response agencies

- Explore opportunities to establish multi-county hazmat teams or options to "share" existing hazmat teams among regions/communities.
- Create a workgroup to promote dialogue and improve communication between state and local responders.
- Create a centralized environmental emergency Web site with appropriate links to various agencies to help build awareness and share information.
- Explore public/private sector partnerships for environmental emergency response and develop a database of responders by location and equipment.

Local governments

- Strongly consider the adoption of an emergency spill ordinance to clarify local authority, strengthen response and enforcement actions at the local level and to provide for the recovery of costs associated with local government response actions.
- County emergency response management officials review all emergency notification plans to ensure that procedures are in place, up-to-date, and are being used properly to notify the public in the event of an emergency.

The Governor and the Legislature

- Reauthorize the Hazardous Waste Management Fund (**HB 244**) and its fee system to finance environmental emergency response actions.
- Seek financial and technical support to assist Local Emergency Planning Committees expand their mission to include other high-risk environmental hazards in their communities.

To view the spills resolution visit the EQC Web site at www.kyeqc.net.

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EQC EARTH DAY AWARD NOMINATIONS

Its not too late to get your EQC 2002 Earth Day nomination in. Submit a one-page summary of the candidate you are nominating along with your name and phone number to EQC, 14 Reilly Rd., Frankfort, KY 40601 or you can submit it electronically at <http://www.kyeqc.net/nominationform.html>.

Deadline for nominations is March 20

